



RESTRICTION ELECTION FACSIMILE TRANSMISSION

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4.23.02
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **FAX RECEIVED**

APR 15 2002

Applicant : Vanessa Hsei et al.
Appl. No. : 09/726,258
Filed : November 29, 2000
For : ANTIBODY FRAGMENT-
POLYMER CONJUGATES
AND HUMANIZED ANTI-IL-8
MONOClonal ANTIBODIES
Examiner : Roark, Jessica H.

) Group Art Unit 1644
GROUP 1600

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April 4, 2002
(Date)

Ginger R. Dreger
Ginger R. Dreger, Reg. No. 33,055

RESPONSE TO RESTRICTION/ELECTION OF SPECIES REQUIREMENT

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

This is in response to the Office Action mailed on March 20, 2002 (Paper No. 8) in connection with the above-identified patent application, setting a one month term. Before turning to the merits, it is noted that the Office Action was erroneously mailed to Genentech, Inc. the assignee of the application. The Examiner is respectfully requested to send all future communications to the address shown in the Associate Power of Attorney and Change of Address letter filed on January 9, 2002 and also shown below, to the attention of the undersigned attorney.

Claims 1-35 are pending in this application. Applicants were requested to elect a specific conjugate consisting of one or more specific antibody fragments attached to no more than a specific number of a specific polymer molecule, which has a specific apparent size. In addition, applicants were required to elect a specific species of PEG molecule or a specific average molecular weight. According to the Office Action, these conjugates and species are distinct because their structures, sizes and physico-chemical properties are different.

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A conjugate consisting essentially of one of more Fab' fragments, attached to no more than about 10 nonproteinaceous polymer molecules, which has a size of at least about 500 kD and at least about 8 fold greater than the apparent size of at least one antibody fragment. In addition, applicants elect a single chain PEG molecule, with an average molecular weight of at least about 20 kD.

Claims 1-8, 10-21, and 24-35 are readable on the elected species.

Although no fees are believed to be due at this time, please charge any fees, including any fees for extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 4, 2001

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